



10-29-03

1778

PTO/SB/21 (05-03)

Approved for use through 04/30/2003. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	09/726,769	
	Filing Date	11/29/2000	
	First Named Inventor	FURMAN, et al.	
	Art Unit	1773	
	Examiner Name	Hoa T. Le	
Total Number of Pages in This Submission	34	Attorney Docket Number	SWRI-2749A

RECEIVED
NOV 03 2003
GROUP 1700

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance communication to Group
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input checked="" type="checkbox"/> Response to Third OA dtd 10-03-03. Amendment/Reply	<input type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Change of Correspondence Address	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	1) Cert. of Mail. under 37 CFR 1.10; &
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Request for Refund	2) Return receipt postcard.
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> CD, Number of CD(s) _____	
<input type="checkbox"/> Response to Missing Parts/Incomplete Application	Remarks	
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	The Commissioner is hereby authorized to charge any additional fees or credit any overpayments to Deposit Account No. 50-0997 (SWRI-2749A), maintained by PAULA D. MORRIS & ASSOCIATES, P.C.	

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	PAULA D. MORRIS, Registration No. 31,516
Signature	<i>Paula Morris</i>
Date	10/28/2003

CERTIFICATE OF TRANSMISSION/MAILING	
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.	
Typed or printed name	Please see attached certificate of mailing under 37 CFR 1.10
Signature	

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



Certificate of Mailing Under 37 CFR 1.10

RECEIVED
NOV 03 2003
GROUP 1700

I hereby certify that this correspondence is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service, under 37 CFR 1.10 on the date indicated below addressed to:

MAIL STOP
Commissioner for Patents
PO BOX 1450
Alexandria, VA 22313-1450

on 10/28/2003 EV 338010062 US
Date Express Mail Label No.

Ann Marie Alaniz
Signature

Ann Marie Alaniz
Typed or Printed Name

Note: Each paper must have its own certificate of Mailing or this certificate must identify each submitted paper

Transmittal form PTO/SB/21 [1 page], Response to Third Office Action [32 pages] and return receipt postcard.

Applicant:	<u>FURMAN, et al.</u>	Group Art Unit:	<u>1773</u>
Serial No.:	<u>09/726,769</u>	Examiner:	<u>Hoa T. Le</u>
Filing Date:	<u>11/29/2000</u>	Atty. Docket No.:	<u>SWRI-2749A</u>
Title:	<u>Methods of Functionalizing and Functionalized Metal Oxide Particles and Mechanically Strong and Transparent or Translucent composites Made Using Zirconium Oxide Nanoparticles</u>		



1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:
Furman et al.

Serial No.: 09/726,769

Filed: November 29, 2000

For: **Methods of Functionalizing and Functionalized Metal Oxide Particles and Mechanically Strong and Transparent or Translucent Composites Made Using Zirconium Oxide Nanoparticles**

§ Group Art Unit: 1773
§
§ Examiner: Hoa T. Le
§
§ Atty. Docket: SwRI-2749A
§

#19/D
1/20 E
RECEIVED
NOV 03 2003
GROUP 1700
11/7/03
NE

RESPONSE TO THIRD OFFICE ACTION

Commissioner for Patents
PO BOX 1450
Alexandria, VA 22313-1450

This paper is filed in response to the third office action mailed October 3, 2003.

The examiner is under a duty to conduct business with Applicant with decorum and courtesy. 37 C.F.R. 1.3. Applicant considers the third office action in this case a violation of this rule, and has brought the offensive portions to the third office action, mailed October 3, 2003, to the attention of the examiner's supervisor. Applicant respectfully requests that the examiner comply with 37 C.F.R. 1.3 and conduct business with Applicant with decorum and courtesy.

The examiner misunderstood Applicant's intent in designating certain claims as "previously canceled." Applicant was not attempting to reinstate these claims. Applicant merely intended to indicate that those claims had been "previously canceled." The following claim list uses the "Sample Format for Revised Amendment Practice" provided by the U.S. Patent Office, which was posted June 30, 2003. Applicant was not aware of the "Sample Format" when the previous response was filed on July 2, 2003.